



COLORADO

Department of Early Childhood

Rule Author/Division Director: Amanda Schoniger /
Carin Rosa

Email(s): Amanda.Schoniger@state.co.us,
Carin.Rosa@state.co.us

Program/Division: DELLA Transportation

CDEC Tracking No.: 2024-10-010

CCR Number(s): 8 CCR 1402-1

SOS Tracking No.: TBD

RULEMAKING PACKET

Reason and Justification
of the proposed rule or
amendment(s):

Compliance with Federal and/or State laws, mandates, or guidel...
If there are "Multiple/Other" reasons, please explain:

Provide a description of
the proposed rule or
amendment(s) that is
clearly and simply
stated, and what CDEC
intends to accomplish:

Colorado House Bill 24-1055 (HB24-1055) updates the age and weight requirements for children required to use a child restraint system during transportation (effective Jan 1, 2025), impacting the Child Care Licensing rules for Child Care Centers, Family Child Care Homes, Children's Resident Camps, School-Aged Child Care Programs, and Neighborhood Youth Organizations. In compliance with HB24-1055, DELLA is required to update the transportation rules and regulations for these licensed programs, which reference the Colorado child passenger safety laws in sections 42-4-236 and 42-4-237, C.R.S.

Statutory Authority:
(Include Federal
Authority, if applicable)

Sections 24-4-103, 26.5-1-105(1)(a), and 26.5-5-314(1) and (2), C.R.S.

Does the proposed rule
or amendment(s) impact
other State Agencies or
Tribal Communities?

☐ Yes

☒ No

If Yes, identify the State Agency and/or Tribal Community and
describe collaboration efforts:

Does the proposed rule
or amendment(s) have
impacts or create
mandates on counties or
other governmental
entities?
(e.g., budgetary
requirements or
administrative burdens)

☐ Yes

☒ No

If Yes, provide description:

<p>Effective Date(s) of proposed rule or amendment(s): (<u>E</u>mergency/<u>P</u>ermanent)</p>	<div> <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Discretionary </div> <div> (E) Effective Date: 1/1/2025 (P) Effective Date: 2/14/2025 </div> <div> (E) Termination Date: 3/21/2025 </div>		
<p>Is the proposed rule or amendment(s) included on the Regulatory Agenda?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If no, please explain:</p> <p>These revised rules are considered for promulgation to implement Colorado House Bill 24-1055, which was passed and signed by the Governor on June 4, 2024, well after the 2024 Regulatory Agenda was submitted on November 1, 2023.</p>		
<p>Does the proposed rule or amendment(s) conflict, or are there inconsistencies with other provisions of law?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, please explain:</p>		
<p>Does the proposed rule or amendment(s) create duplication or overlapping of other rules or regulations?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, explain why:</p>		
<p>Does the proposed rule or amendment(s) include material that is incorporated by reference¹?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, provide source:</p>		
<p>Does the proposed rule or amendment(s) align with the department's rulemaking objectives?</p> <p>Choose all that apply.</p>	<table border="1"> <tr> <td data-bbox="500 1680 570 1818"> <input checked="" type="checkbox"/> </td><td data-bbox="570 1680 1511 1818"> Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services. </td></tr> </table>	<input checked="" type="checkbox"/>	Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.
<input checked="" type="checkbox"/>	Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.		

¹ Incorporation by Reference is all or any part of a code, standard, guideline, or rule that has been adopted by an agency of the United States, this state, or another state, or adopted or published by a nationally recognized organization or association, pursuant to section 24-4-103(12.5), C.R.S.

RAC County Subcommittee Review Date (if required):	N/A
Rules Advisory Council (RAC) Review Date:	11/14/2024 (Emergency) 12/12/2024 (Permanent)
Public Rulemaking Hearing Date(s): [Discussion/Adoption]	11/21/2024 (Emergency Adoption) 12/19/2024 (Permanent Adoption)

Regulatory and Cost Benefit Analysis

1. **Community Impact:** Provide a description of the stakeholders that will be affected by the proposed rule or amendment(s), and identify which stakeholders will bear the costs, and those who will benefit. How will the proposed rule or amendment(s) impact particular populations, such as those experiencing poverty, immigrant/refugee communities, non-English speakers, and rural communities?

The proposed changes impact Family Child Care Homes, Child Care Centers, School-Age Child Care Centers, and Neighborhood Youth Organizations. The rules are necessary to be in compliance with Colorado child passenger safety laws at sections 42-4-236 and 42-4-237, C.R.S.

2. **Quality and Quantity:** Provide a description of the probable quantitative and qualitative impact on persons affected by the proposed rule or amendment(s), and comparison of the probable costs and benefits of implementation versus inaction. What are the short- and long-term consequences of the proposed rule or amendment(s).

The short- and long-term consequences of inaction on behalf of the Department would be noncompliance with state law and requirements. Additionally, licensed child care programs would be out of compliance with the law.

3. **Potential Economic Benefits/Disadvantages:** What are the anticipated economic benefits of the proposed rule or amendment(s), such as: economic growth, creation of new jobs, and/or increased economic competitiveness? Are there any adverse effects on the economy, consumers, private markets, small businesses, job creation, and economic competitiveness?

This rule package may be an economic disadvantage for providers as it may require buying more carseats, depending on the ages of children in care. However, the changes are legally required to align regulations with Colorado's child passenger safety laws.

4. **Fiscal Impacts:** What are the anticipated direct and indirect costs for the state/department to implement, administer, and enforce the proposed rule or amendment(s)? What are the

direct and indirect costs to each of the following entities to comply with the proposed rule or amendment(s)? For each, describe the impact or indicate “not applicable.”

Department	None. There are no costs to the Department for implementing these rules.
Local Governments/ Counties	None. The revised rules do not increase or create additional costs for counties or local governments.
Providers	Licensed programs are governed by these rules, and will potentially incur additional costs to implement the changes required by HB 24-1055. This rule has a potential direct cost for providers that may need to purchase more child restraint systems, and additional types of specific child restraint systems to accommodate the new age and weight requirements for the children in their programs.
Community Partners (e.g., School Districts, Early Childhood Councils, etc.)	None. The revised rules do not increase or create additional costs for community partners.
Other State Agencies	None. The revised rules do not increase or create additional costs for State Agencies.
Tribal Communities	None. The revised rules do not increase or create additional costs for Tribal Communities.

5. **Evaluation:** How will implementation of the proposed rule or amendment(s) be monitored and evaluated? Please include information about measures and indicators that CDEC will utilize, including information on specific populations (identified above).

The Department will annually monitor programs for compliance with these regulations. Compliance with children’s health and safety must always be maintained.

6. **Comparative Analysis:** Provide at least two alternatives to the proposed rule or amendment(s) that can be identified, including the costs and benefits of pursuing each of the alternatives.

There are no alternative solutions to these proposed rules because the revisions comply with HB24-1055, and Colorado child passenger safety laws at sections 42-4-236 and 42-4-237, C.R.S

7. Comparative Analysis: Are there less costly or less intrusive methods for achieving the purpose of the proposed rule or amendment(s)? Explain why those options were rejected.

There are no other options to achieve the objectives of these revisions.



Rule Author/Division Director: Amanda Schoniger /
Carin Rosa

Email(s): Amanda.Schoniger@state.co.us,
Carin.Rosa@state.co.us

Program/Division: DELLA - Children's Resident Camps

CDEC Tracking No.: 2024-06-005

CCR Number(s): 8 CCR 1402-1

SOS Tracking No.: TBD

RULEMAKING PACKET

Reason and Justification
of the proposed rule or
amendment(s):

Multiple/Other ▾

Comprehensive Rule Review and Legislative Implementation of
SB24-071.

Provide a description of
the proposed rule or
amendment(s) that is
clearly and simply
stated, and what CDEC
intends to accomplish:

The Division of Early Learning, Licensing, and Administration (DELLA) recently completed an extensive review of regulations to assess their suitability for continuation, modification, or repeal, in accordance with section 24-4-103.3, C.R.S. The rules were also updated to comply with statutory changes related to child care facilities.

Following stakeholder engagement, significant revisions were made, including the expansion of qualification options, adjustments to health, safety, and professional development requirements, and clarification of travel-trip camp requirements.

Furthermore, the proposed revisions will enact [Colorado Senate Bill 24-071](#) (SB24-071), which incorporates seasonal outdoor adventure day camp programs into the definition of children's resident camps.

To assist Children's Resident Camps in identifying all applicable rules for their license type, this package has been reorganized into a more user-friendly format, eliminating duplicative rules.

Statutory Authority:
(Include Federal
Authority, if applicable)

Sections 24-4-103, 26.5-1-105(1)(a), and 26.5-5-314(1) and (2), C.R.S.

Does the proposed rule
or amendment(s) impact
other State Agencies or
Tribal Communities?

☐ Yes

☒ No

If Yes, identify the State Agency and/or Tribal Community and
describe collaboration efforts:

<p>Does the proposed rule or amendment(s) have impacts or create mandates on counties or other governmental entities? (e.g., budgetary requirements or administrative burdens)</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, provide description:</p>
<p>Effective Date(s) of proposed rule or amendment(s): (<u>E</u>mergency/<u>P</u>ermanent)</p>	<div> <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Discretionary </div> <div> (E) Effective Date: N/A (P) Effective Date: 2/14/2025 </div> <div> (E) Termination Date: N/A </div>
<p>Is the proposed rule or amendment(s) included on the Regulatory Agenda?</p>	<div> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>If no, please explain:</p>
<p>Does the proposed rule or amendment(s) conflict, or are there inconsistencies with other provisions of law?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, please explain:</p>
<p>Does the proposed rule or amendment(s) create duplication or overlapping of other rules or regulations?</p>	<div> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <p>If Yes, explain why:</p>
<p>Does the proposed rule or amendment(s) include material that is incorporated by reference¹?</p>	<div> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>If Yes, provide source:</p> <ol style="list-style-type: none"> 1. “Air Quality Index Advisory Unhealthy for Sensitive Groups” means an Air Quality Index value of 101 to 150. People with asthma, children, and older adults are the groups most at risk as defined and explained by the Environmental Protection Agency (EPA) at

¹ Incorporation by Reference is all or any part of a code, standard, guideline, or rule that has been adopted by an agency of the United States, this state, or another state, or adopted or published by a nationally recognized organization or association, pursuant to section 24-4-103(12.5), C.R.S.

https://www.airnow.gov/sites/default/files/2018-04/aqi_brochure_02_14_0.pdf (Feb. 2024), herein incorporated by reference. No later editions or amendments are incorporated. These resources are available at no cost from the Environmental Protection Agency (EPA) at <https://www.airnow.gov/aqi/aqi-basics/>. These resources are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.

2. The camp must show evidence that all meals and snacks provided by the camp meet the current United States Department of Agriculture (USDA), Child and Adult Care Food Program (CACFP) meal pattern guidance and requirements published by the USDA Food Nutrition Service at <https://www.cacfp.org/meal-pattern-guidance/> (April 2016) and 7 C.F.R. sections 210.10 and 226.20 (July 1, 2022), herein incorporated by reference. No later editions or amendments are incorporated. These regulations are available at no cost from the USDA Food Nutrition Service at <https://www.ecfr.gov>. These regulations are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.
3. Schools, including children's resident camps, are required to comply with the immunization requirements as stated in 6 CCR 1009-2. Documentation of school-required immunization status or Certificate of Medical or Nonmedical Exemption, is required by the Colorado Board of Health. Up-to-date school-required immunizations must be documented as specified on the Colorado Department of Public Health and Environment (CDPHE) Certificate of Immunization or on an "approved alternate" Certificate of Immunization. Colorado law requires proof of immunization status or exemption be provided prior to or on the first day of admission. Certificate of Immunization, defined in Colorado Department of Public Health and Environment regulation at 6 CCR 1009-2:VI(A), (May 15, 2023), no later editions or amendments are incorporated. These regulations are available from the Colorado Department of Public Health and Environment at no cost at <https://www.coloradosos.gov/CCR/Welcome.do>. These regulations are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.
4. Submit the Certificate of Nonmedical Exemption received upon the completion of CDPHE's Online Immunization Education Module. The Certificate of Nonmedical Exemption and Education Module are herein incorporated by reference, no later editions or amendments are incorporated. The Certificate and Education Module are available at no cost from the

	<p>Colorado Department of Public Health and Environment at https://cdphe.colorado.gov/vaccine-exemptions. The Certificate is available for public copying and inspection at the Colorado Department of Early Childhood, 720 S. Ash St., Denver, CO 80246, during normal business hours.</p> <p>5. The services offered for special needs campers in compliance with the Americans with Disabilities Act (as incorporated by reference in rule section 2.119, of the General Rules for Child Care Facilities).</p> <p>6. If a medication is out of date or left over, the medication must be returned to the parent(s)/guardian(s) or disposed of as required by the Colorado Department of Public Health and Environment regulations at 6 CCR 1010-7 § 7.10.4, herein incorporated by reference no later editions or amendments incorporated. These regulations are available from the Colorado Department of Public Health and Environment at no cost at https://www.coloradosos.gov/CCR/Welcome.do. These regulations are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during normal business hours.</p>
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<p>Does the proposed rule or amendment(s) align with the department's rulemaking objectives?</p> <p>Choose all that apply.</p>	<table> <tr> <td><input checked="" type="checkbox"/></td><td>Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.</td></tr> <tr> <td><input checked="" type="checkbox"/></td><td>Decrease duplication and conflicts with implementing programs and providing services.</td></tr> <tr> <td><input checked="" type="checkbox"/></td><td>Increase equity in access and outcomes to programs and services for children and families.</td></tr> <tr> <td><input checked="" type="checkbox"/></td><td>Increase administrative efficiencies among programs and services provided by the department.</td></tr> <tr> <td><input checked="" type="checkbox"/></td><td>Ensure that rules are coordinated across programs and services so that programs are implemented and services are provided with improved ease of access, quality of family/provider experience, and ease of implementation by state, local, and tribal agencies.</td></tr> </table>	<input checked="" type="checkbox"/>	Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.	<input checked="" type="checkbox"/>	Decrease duplication and conflicts with implementing programs and providing services.	<input checked="" type="checkbox"/>	Increase equity in access and outcomes to programs and services for children and families.	<input checked="" type="checkbox"/>	Increase administrative efficiencies among programs and services provided by the department.	<input checked="" type="checkbox"/>	Ensure that rules are coordinated across programs and services so that programs are implemented and services are provided with improved ease of access, quality of family/provider experience, and ease of implementation by state, local, and tribal agencies.
<input checked="" type="checkbox"/>	Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.										
<input checked="" type="checkbox"/>	Decrease duplication and conflicts with implementing programs and providing services.										
<input checked="" type="checkbox"/>	Increase equity in access and outcomes to programs and services for children and families.										
<input checked="" type="checkbox"/>	Increase administrative efficiencies among programs and services provided by the department.										
<input checked="" type="checkbox"/>	Ensure that rules are coordinated across programs and services so that programs are implemented and services are provided with improved ease of access, quality of family/provider experience, and ease of implementation by state, local, and tribal agencies.										

Rulemaking Proceedings

Type of Rulemaking:	Permanent ▾
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Emergency or Permanent ² [Permanent Tier I or Tier II]	Tier I ▾
Stakeholder Engagement:	<p>Stakeholder Meetings:</p> <ol style="list-style-type: none"> 1. January 26, 2024 11:30-1:30pm 2. February 15th, 2024 1:00-3:00 pm 3. February 29th, 2024 11:30-1:30pm 4. March 21st, 2024 11:30-1:30pm 5. April 11th, 2024 12:30pm-2:30pm <ul style="list-style-type: none"> • Proposed rules emailed to stakeholders and posted on the website for thirty (30) days of written comment (8/1/24 - 8/29/24). • Internal review and incorporation of comments. <p>Rule Folder: https://drive.google.com/drive/u/0/folders/1HEmZJuymaa5pLKbxIDBDkroOcQnZ00Xx </p>
Assistant Attorney General Review:	9/24/24 - 10/31/24
RAC County Subcommittee Review Date (if required):	N/A
Rules Advisory Council (RAC) Review Date:	11/14/24
Public Rulemaking Hearing Date(s):	<p>Discussion Hearing: 11/21/24</p> <p>Adoption Hearing: 12/19/24</p>

² Tier I is used for proposed rule or amendment(s) that have substantive changes, require substantial stakeholder engagement, and will be considered at two Public Rulemaking Hearings (PRH). The first PRH is held for discussion, and the second PRH is held to consider adoption. Tier II is used for proposed rule or amendment(s) that include technical changes, do not require substantial stakeholder engagement, and will be considered at only one Public Rulemaking Hearing (PRH) for adoption.

Regulatory and Cost Benefit Analysis

1. **Community Impact:** Provide a description of the stakeholders that will be affected by the proposed rule or amendment(s), and identify which stakeholders will bear the costs, and those who will benefit. How will the proposed rule or amendment(s) impact particular populations, such as those experiencing poverty, immigrant/refugee communities, non-English speakers, and rural communities?

The proposed changes to the Children's Resident Camp rules impact Children's Resident Camps and families with diverse backgrounds, including families experiencing poverty, immigrant/refugee communities, non-English speakers, and rural communities. There is a positive impact on these populations as the rules expand qualification options, adjustments to health, safety, and professional development requirements, and clarification of travel trip camp requirements.

Furthermore, the proposed revisions will enact [Colorado Senate Bill 24-071](#) (SB24-071), which incorporates seasonal outdoor adventure day camp programs into the definition of children's resident camps.

Additionally, the Department will provide translated versions of the adopted rules, administrative guides, and supporting resources to Spanish speakers.

2. **Quality and Quantity:** Provide a description of the probable quantitative and qualitative impact on persons affected by the proposed rule or amendment(s), and comparison of the probable costs and benefits of implementation versus inaction. What are the short- and long-term consequences of the proposed rule or amendment(s).

The short- and long-term consequences of inaction would be noncompliance with federal and state law and requirements, additionally Children's Resident Camps and families with diverse backgrounds would not receive the benefits of flexibility created by these revisions.

3. **Potential Economic Benefits/Disadvantages:** What are the anticipated economic benefits of the proposed rule or amendment(s), such as: economic growth, creation of new jobs, and/or increased economic competitiveness? Are there any adverse effects on the economy, consumers, private markets, small businesses, job creation, and economic competitiveness?

This rule package is an economic benefit for both families and Children's Resident Camps. With this rule package, CDEC intends to expand qualification options, make adjustments to health, safety, and professional development requirements, and incorporate seasonal outdoor adventure day camp programs into the definition of children's resident camps.

The additional health and safety requirements and training may be a barrier to programs operating due to the cost. In the few areas where additional training requirements have been proposed, the Department has tried to minimize the impact by providing required training free of cost and allowing the training to count for required ongoing professional development.

4. **Fiscal Impacts:** What are the anticipated direct and indirect costs for the state/department to implement, administer, and enforce the proposed rule or amendment(s)? What are the direct and indirect costs to each of the following entities to

comply with the proposed rule or amendment(s)? For each, describe the impact or indicate “not applicable.”

Department	None. There are no costs to the Department for implementing these rules.
Local Governments/ Counties	None. The revised rules do not increase or create additional costs for counties or local governments.
Providers	Licensed Children’s Resident Camps are governed by these rules and will both benefit from and bear the burden of these rules. There will be minimal cost to children’s resident camps as a result of the proposed changes in this package. Required trainings are available for free online in the Professional Development Information System (PDIS).
Community Partners (e.g., School Districts, Early Childhood Councils, etc.)	None. The revised rules do not increase or create additional costs for community partners.
Other State Agencies	None. The revised rules do not increase or create additional costs for State Agencies.
Tribal Communities	None. The revised rules do not increase or create additional costs for Tribal Communities.

5. **Evaluation:** How will implementation of the proposed rule or amendment(s) be monitored and evaluated? Please include information about measures and indicators that CDEC will utilize, including information on specific populations (identified above).

The Department will annually monitor programs for compliance with these regulations and provide a six (6) month period of consultation to support compliance. Compliance with children’s health and safety must always be maintained.

6. **Comparative Analysis:** Provide at least two (2) alternatives to the proposed rule or amendment(s) that can be identified, including the costs and benefits of pursuing each of the alternatives.

There are no alternative solutions to these proposed rules because the revisions comply with applicable health and safety laws. The rules and requirements that were determined unnecessary were removed from the rule package.

7. Comparative Analysis: Are there less costly or less intrusive methods for achieving the purpose of the proposed rule or amendment(s)? Explain why those options were rejected.

There is no other option to achieve the objective of these revisions.



Rule Author/Division Director: Amanda Schoniger /
Carin Rosa

Email(s): Amanda.Schoniger@state.co.us,
Carin.Rosa@state.co.us

Program/Division: DELLA - Special Activities

CDEC Tracking No.: 2024-08-007

CCR Number(s): 8 CCR 1402-1

SOS Tracking No.: TBD

RULEMAKING PACKET

Reason and Justification
of the proposed rule or
amendment(s):

Multiple/Other ▾

Comprehensive rule review required per section 24-4-103.3, C.R.S.

Provide a description of
the proposed rule or
amendment(s) that is
clearly and simply
stated, and what CDEC
intends to accomplish:

The Division of Early Learning, Licensing, and Administration (DELLA) recently conducted a comprehensive rule review to determine if the rules should be continued in their current form, modified, or repealed, consistent with the requirements of section 24-4-103.3, C.R.S. As a result of stakeholder engagement, some of the major areas of revisions incorporate additional special activities options and include changes to language to be current with industry standards.

This comprehensive draft rule package was developed as part of a broad stakeholder engagement.

CDEC intends to expand special activities by including paddle boarding, wading, and ax-throwing. CDEC intends to expand the health and safety requirements for programs utilizing special activities by specifically outlining requirements for staff, supervision, and staff-to-child-ratios for children participating in those activities.

To help Programs identify all of the rules applicable to each activity this package has been reorganized into a more consumer-friendly format and duplicative rules have been removed. Terminology throughout the package was updated to be current with industry standards for these activities.

Statutory Authority:
(Include Federal
Authority, if applicable)

Sections 24-4-103, 26.5-1-105(1)(a), and 26.5-5-314(1) and (2), C.R.S.

Does the proposed rule
or amendment(s) impact
other State Agencies or
Tribal Communities?

☐ Yes

☒ No

	If Yes, identify the State Agency and/or Tribal Community and describe collaboration efforts:
Does the proposed rule or amendment(s) have impacts or create mandates on counties or other governmental entities? (e.g., budgetary requirements or administrative burdens)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide description:
Effective Date(s) of proposed rule or amendment(s): (<u>E</u> mergency/ <u>P</u> ermanent)	<input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Discretionary (E) Effective Date: N/A (P) Effective Date: 2/14/2025 (E) Termination Date: N/A
Is the proposed rule or amendment(s) included on the Regulatory Agenda?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please explain:
Does the proposed rule or amendment(s) conflict, or are there inconsistencies with other provisions of law?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain:
Does the proposed rule or amendment(s) create duplication or overlapping of other rules or regulations?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain why:
Does the proposed rule or amendment(s) include material that is incorporated by reference ¹ ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide source:

¹ Incorporation by Reference is all or any part of a code, standard, guideline, or rule that has been adopted by an agency of the United States, this state, or another state, or adopted or published by a nationally recognized organization or association, pursuant to section 24-4-103(12.5), C.R.S.

1. The swimming pool or swimming area shall meet the standards of the Colorado Department of Public Health and Environment (CDPHE), defined in Colorado Department of Public Health and Environment regulation 5 CCR 1003-5 (December 15, 2020), herein incorporated by reference. No later editions or amendments are incorporated. These [regulations](#) are available from the Colorado Department of Public Health and Environment at no cost at <https://www.coloradosos.gov/CCR/Welcome.do>. These recommendations are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.
2. All children and staff must wear properly fitted helmets designed for equestrian use according to ASTM F1163-15 standards while riding as defined and explained by ASTM international at <https://www.play.org/f1163-15.html> (February 2023), herein incorporated by reference. No later editions or amendments are incorporated. These resources are available at no cost from ASTM International at ASTM.org. These resources are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.
3. Each rider shall wear head protection specifically designed for the type of biking activity according to ASTM F1447-18 standards while riding as defined and explained by ASTM international at <https://www.astm.org/f1447-18.html> (June 25, 2018), herein incorporated by reference. No later editions or amendments are incorporated. These resources are available at no cost from ASTM International at ASTM.org. These resources are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.
4. Programs must have a contingency plan/plan for facilities to use during adverse weather and air quality index advisory Unhealthy for Sensitive Groups explained by the Environmental Protection Agency (EPA) at https://www.airnow.gov/sites/default/files/2018-04/aqi_brochure_02_14_0.pdf (Feb. 2024), herein incorporated by reference. No later editions or amendments are incorporated. These resources are available at no cost from the Environmental Protection Agency (EPA) at <https://www.airnow.gov/aqi/aqi-basics/>. These resources are also available for public inspection and copying at the Colorado Department of Early Childhood, 710 S. Ash St., Denver, CO 80246, during regular business hours.

<p>Does the proposed rule or amendment(s) align with the department's rulemaking objectives?</p> <p>Choose all that apply.</p>	<table border="1"> <tr> <td data-bbox="487 243 570 384"><input checked="" type="checkbox"/></td> <td data-bbox="570 243 1521 384">Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.</td> </tr> <tr> <td data-bbox="487 384 570 489"><input checked="" type="checkbox"/></td> <td data-bbox="570 384 1521 489">Decrease duplication and conflicts with implementing programs and providing services.</td> </tr> <tr> <td data-bbox="487 489 570 594"><input checked="" type="checkbox"/></td> <td data-bbox="570 489 1521 594">Increase equity in access and outcomes to programs and services for children and families.</td> </tr> <tr> <td data-bbox="487 594 570 699"><input checked="" type="checkbox"/></td> <td data-bbox="570 594 1521 699">Increase administrative efficiencies among programs and services provided by the department.</td> </tr> <tr> <td data-bbox="487 699 570 909"><input checked="" type="checkbox"/></td> <td data-bbox="570 699 1521 909">Ensure that rules are coordinated across programs and services so that programs are implemented and services are provided with improved ease of access, quality of family/provider experience, and ease of implementation by state, local, and tribal agencies.</td> </tr> </table>	<input checked="" type="checkbox"/>	Reduce the administrative burden on families and providers accessing, implementing, or providing programs and/or services.	<input checked="" type="checkbox"/>	Decrease duplication and conflicts with implementing programs and providing services.	<input checked="" type="checkbox"/>	Increase equity in access and outcomes to programs and services for children and families.	<input checked="" type="checkbox"/>	Increase administrative efficiencies among programs and services provided by the department.	<input checked="" type="checkbox"/>	Ensure that rules are coordinated across programs and services so that programs are implemented and services are provided with improved ease of access, quality of family/provider experience, and ease of implementation by state, local, and tribal agencies.
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Rulemaking Proceedings

<p>Type of Rulemaking: Emergency or Permanent² [Permanent Tier I or Tier II]</p>	<p>Permanent ▾</p> <p>Tier I ▾</p>
<p>Stakeholder Engagement:</p>	<p>Stakeholder Meetings:</p> <ol style="list-style-type: none"> 1. April 11, 2024, 12:30-2:30 pm 2. April 18, 2024, 12:00-1:00 pm 3. June 5, 2024, 12:30-2:00 pm 4. August 15, 2024, 9:00-10:30 pm <ul style="list-style-type: none"> • Proposed rules emailed to stakeholders and posted on the website for thirty (30) days of written comment (8/30/24 - 9/29/24). • Internal review and incorporation of comments.

² Tier I is used for proposed rule or amendment(s) that have substantive changes, require substantial stakeholder engagement, and will be considered at two Public Rulemaking Hearings (PRH). The first PRH is held for discussion, and the second PRH is held to consider adoption. Tier II is used for proposed rule or amendment(s) that include technical changes, do not require substantial stakeholder engagement, and will be considered at only one Public Rulemaking Hearing (PRH) for adoption.

	Rule Folder: https://drive.google.com/drive/u/0/folders/1JJQEYHyuGwt5Sd0Pwk8N4bKMPfpQDiNb
Assistant Attorney General Review:	9/30/24 - 10/31/24
RAC County Subcommittee Review Date (if required):	N/A
Rules Advisory Council (RAC) Review Date:	11/14/24
Public Rulemaking Hearing Date(s):	Discussion Hearing: 11/21/24 Adoption Hearing: 12/19/24

Regulatory and Cost Benefit Analysis

- 1. Community Impact:** Provide a description of the stakeholders that will be affected by the proposed rule or amendment(s), and identify which stakeholders will bear the costs, and those who will benefit. How will the proposed rule or amendment(s) impact particular populations, such as those experiencing poverty, immigrant/refugee communities, non-English speakers, and rural communities?

The proposed changes to the Special Activities rules impact Family Child Care Homes, Child Care Centers, School-Age child care centers, Children's Resident Camps, Neighborhood Youth organizations, and families with diverse backgrounds, including families experiencing poverty, immigrant/refugee communities, non-English speakers, and rural communities. There is a positive impact on these populations as the rules expand qualification options, adjustments to health, safety, and professional development requirements.

Additionally, the Department will provide translated versions of the adopted rules, administrative guides, and supporting resources to Spanish speakers.

- 2. Quality and Quantity:** Provide a description of the probable quantitative and qualitative impact on persons affected by the proposed rule or amendment(s), and comparison of the probable costs and benefits of implementation versus inaction. What are the short- and long-term consequences of the proposed rule or amendment(s).

The short- and long-term consequences of inaction would be noncompliance with federal and state law and requirements, additionally Family Child Care Homes, Child Care Centers, School-Age child care centers, Children's Resident Camps, Neighborhood Youth organizations

and families with diverse backgrounds would not receive the benefits of flexibility created by these revisions.

3. **Potential Economic Benefits/Disadvantages:** What are the anticipated economic benefits of the proposed rule or amendment(s), such as: economic growth, creation of new jobs, and/or increased economic competitiveness? Are there any adverse effects on the economy, consumers, private markets, small businesses, job creation, and economic competitiveness?

This rule package is an economic benefit for both families and Children's Resident Camps. With this rule package, CDEC intends to expand qualification options, make adjustments to health, safety, and professional development requirements.

The additional health and safety requirements and training may be a barrier to programs operating due to the cost. In the few areas where additional requirements have been proposed, the Department has tried to minimize the impact by allowing several different pathways and training options.

4. **Fiscal Impacts:** What are the anticipated direct and indirect costs for the state/department to implement, administer, and enforce the proposed rule or amendment(s)? What are the direct and indirect costs to each of the following entities to comply with the proposed rule or amendment(s)? For each, describe the impact or indicate "not applicable."

Department	None. There are no costs to the Department for implementing these rules.
Local Governments/ Counties	None. The revised rules do not increase or create additional costs for counties or local governments.
Providers	Licensed Children's Resident Camps are governed by these rules and will both benefit from and bear the burden of these rules. There will be minimal cost to children's resident camps as the additions to the package. Training is available for free online in the Professional Development Information System (PDIS).
Community Partners (e.g., School Districts, Early Childhood Councils, etc.)	None. The revised rules do not increase or create additional costs for community partners.
Other State Agencies	None. The revised rules do not increase or create additional costs for State Agencies.

Tribal Communities	None. The revised rules do not increase or create additional costs for Tribal Communities.
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5. **Evaluation:** How will implementation of the proposed rule or amendment(s) be monitored and evaluated? Please include information about measures and indicators that CDEC will utilize, including information on specific populations (identified above).

The Department will annually monitor programs for compliance with these regulations and provide a six (6) month period of consultation to support compliance. Compliance with children's health and safety must always be maintained.

6. **Comparative Analysis:** Provide at least two (2) alternatives to the proposed rule or amendment(s) that can be identified, including the costs and benefits of pursuing each of the alternatives.

There are no alternative solutions to these proposed rules because the revisions are compliant with the health and safety laws. The rules and requirements that were determined unnecessary were removed from the rule package.

7. **Comparative Analysis:** Are there less costly or less intrusive methods for achieving the purpose of the proposed rule or amendment(s)? Explain why those options were rejected.

There is no other option to achieve the objective of these revisions.